IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 10609 of 2007(K)

PETITIONER:

P.N.KRISHNAN POTTY,
POSTMAN, GENERAL POST OFFICE,
THIRUVANANTHAPURAM-1.

BY ADV. SRI.D.SAJEEV

RESPONDENTS:

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1. THE CHIEF POSTMASTER GENERAL,
KERALA CIRCLE, THIRUVANANTHAPURAM.

2. THE SENIOR SUPERINTENDENT OF POST
OFFICES, THIRUVANANTHAPURAM NORTH DIVISION,
THIRUVANANTHAPURAM.

3. THE POST MASTER,
GENERAL POST OFFICE, PULIMOODU,
THIRUVANANTHAPURAM-1.

4. POSTAL, TELECOM, BSNL EMPLOYEES
CO-OPERATIVE SOCIETY LTD. NO.1940,
THIRUVANANTHAPURAM-1, REPRESENTED BY ITS
SECRETARY.

5. K.S.JAYAKUMAR, E.D.PACKER,
PALKULANGARA POST OFFICE, PALKULANGARA P.O.,
THIRUVANANTHAPURAM.

6. THE POSTMASTER, PALKULANGARA POST OFFICE
PALKULANGARA P.O., THIRUVANANTHAPURAM.

R1 & 2 BY ASST. SOL. GENERAL SHRI. JOHN VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 10609 OF 2007 K
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Dated this the 27th March, 2007

J U D G M E N T

The petitioner is working as Postman in the General Post Office, Thiruvananthapuram. He has approached this Court seeking directions against the 1st respondent-Chief Post Master General and other official respondents for a writ of mandamus directing respondents 2 to 4 and 6 to take positive steps to effect recovery from the salary of the 5th respondent and to credit the same in the proper account. It is evident that the grievance of the petitioner arises consequent on the recovery effected from his salary and thereafter credited in a chitty account of the 5th respondent. The petitioner will not be aggrieved if the amount is credited in the account of the 5th respondent from any other source other than the salary of the petitioner. What is sought to be established is the right of the petitioner to receive full salary. Though counsel for the petitioner contends that the subject matter of this writ petition does not pertain to service matter, I am not inclined to accept that

contention. In my view, the petitioner's case will come within the ambit of Section 19 of the Central Administrative Tribunals Act and he will have to approach the Central Administrative Tribunal, having jurisdiction, for the redressal of his grievance. Hence, without prejudice to the right of the petitioner to approach the Central Administrative Tribunal, this writ petition is disposed of.

K.K. DENESAN
JUDGE

jan/